

FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY

**THURSDAY
DECEMBER 5, 2013
8:00 A.M.**

PLANNING DEPARTMENT CONFERENCE ROOM

AGENDA

PRESENT:

___ JOE GILLIS, CHAIRMAN
___ LEN HOUSE, VICE CHAIRMAN
___ WILLIAM SULLIVAN, TREASURER
___ TODD RULISON, SECRETARY
___ FRAN REED, MEMBER
___ JOSEPH SEMIONE, MEMBER
___ GEORGE BEVINGTON, MEMBER
___ JAMES MRAZ, EXECUTIVE DIRECTOR
___ KARA LAIS, FITZGERALD, MORRIS, BAKER, FIRTH PC
___ MIKE REESE, FULTON COUNTY CENTER FOR REGIONAL GROWTH
___ RALPH OTTUSO, LIAISON, ECONOMIC DEVELOPMENT COMMITTEE
___ LEADER HERALD

I. MINUTES FROM OCTOBER 22, 2013 MEETING:

MOTION :
MADE BY :
SECONDED :
VOTE :

II. BUDGET REPORT:

MOTION :
MADE BY :
SECONDED :
VOTE :

III. COMMITTEE REPORTS:

A. Nominating Committee:

- No report

B. Audit Committee:

- No report.

C. Governance Committee:

- No report.

D. Finance Committee:

- No report.

E. Tryon Subcommittee:

- No report.

IV. OLD BUSINESS:

A. Tryon Technology Park and Incubator Center Project:

1. Deed Transfer:

- Update: Kara Lais

2. SEQR:

a. Proposed Action:

1. The proposed action is the redevelopment of the former Tryon Juvenile Detention Facility into the Tryon Technology Park and Incubator Center.
2. The proposed project will include:
 - Potential physical alteration of 10+ acres of land.
 - Creation of shovel-ready sites.
 - Construction of new internal access roads and stormwater collection system.
 - Construction of new water and sewer lines.
 - Renovation of sewer pump stations.
 - Installation of water tank and pumps.
 - Building demolition.
 - Installation of gas and electric and communications and fiber optics.
 - Other work.

b. Resolution Adopted at October 22, 2013 Meeting:

1. At October 22, 2013 meeting, the IDA Board adopted a SEQR resolution that:
 - a) Classified the proposed action as a Type I Action.
 - b) Proposed that the IDA Board serve as Lead Agency.
 - c) Authorized the distribution of the Site Plan and Part I Environmental Assessment Form (EAF) to all Involved Agencies asking for:
 - 1) Their consent to the IDA serving as Lead Agency.
 - 2) Their comments on whether the proposed action may create any environmental impacts.

c. Input Received Involved Agencies:

1. Involved Agencies were sent letters on October 25, 2013 asking for their input and comments by Friday, November 29, 2013.
2. Letters were received from the following Involved Agencies by November 29, 2013:
 - Fulton County Board of Supervisors
 - Gloversville Water Board
 - Empire State Development
 - NYSDEC
 - NYSDOH
 - Gloversville Johnstown Joint Wastewater Treatment Plant
3. All Involved Agencies have consented to the IDA serving as the SEQR Lead Agency.

d. Letters from Cities of Gloversville and Johnstown:

1. The IDA received a letter dated November 14, 2013 from Attorney Casale, City of Gloversville Attorney, and a letter dated November 18, 2013 from Susan Palmer Johnson, City of Johnstown Attorney, requesting that each City be designated as an Involved Agency.
2. SEQR Regulations define an Involved Agency as:

An agency that has jurisdiction by law to fund, approve or directly undertake an action. If an agency will ultimately make a discretionary decision to fund, approve or undertake an action, then it is an “involved agency”, notwithstanding that it has not received an application for funding or approval at the time the SEQR process is commenced. The lead agency is also an “involved agency”.

3. Jim Mraz forwarded both letters to Kara Lais for her review and opinion on whether the IDA could designate the Cities as Involved Agencies. Kara Lais determined that:

- a. The Cities of Gloversville and Johnstown do not meet the definition of an Involved Agency.
 - b. The IDA is prohibited by law to designate the Cities as Involved Agencies.
4. On November 22, 2013, Kara Lais sent letters to Anthony Casale and Susan Palmer Johnson advising them that the IDA cannot designate the Cities as Involved Agencies. The letter offered the opportunity for the Cities to request that the IDA designate them as an Interested Agency. The letter asked that the Cities submit a request for Interested Agency status by November 29, 2013.
 5. SEQR Regulations define an Interested Agency as:

An agency that lacks the jurisdiction to fund, approve or directly undertake an action but wishes to participate in the review process because of its specific expertise or concern about the proposed action. An “interested agency” has the same ability to participate in the review process as a member of the public.

6. No requests were received from the Cities to be designated as Interested Agencies.
- e. Review Proposed SEQR Resolution:
 - See Handout.

IDA DISCUSSION:

IDA ACTION:

MOTION: To adopt the proposed SEQR Resolution as presented.

MADE BY:

SECONDED:

VOTE:

- f. EAF Part II:

1. Background:

- As Lead Agency, the IDA must complete an EAF: Part II.
- Part II helps to inventory all potential resources that could be impacted by the proposed project.

2. Review EAF: Part II:

- See Handout.

IDA DISCUSSION:

IDA ACTION:

MOTION:

MADE BY:

SECONDED:

VOTE:

3. Brush Hogging Work Invoice:

- a. Don Sobkowitz who resides on CR 158 near Tryon recently completed brush hogging work at Tryon at the request of the IDA.

b. Total Invoice : \$800

- Labor : \$500
- Fuel : \$300

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize the payment of \$800 to Don Sobkowitz for providing brush hogging services at Tryon.

MADE BY:

SECONDED:

VOTE:

4. Carol's Abstracting Services Invoice:

a. Background:

- At June 19, 2012 IDA meeting, the Board authorized the Chairman to execute an Agreement with Carol's Abstracting Services to perform title search, prepare title report and provide ALTA title policy.

- Fees:

Title Search and Title Report :	\$ 600
<u>\$1 Million Title Policy :</u>	<u>\$ 4,094</u>
Total :	\$ 4,694

b. Invoice:

- Carol's Abstracting has submitted an invoice for \$4,694.
- Payment will be issued once Title Policy has been purchased and the deed has been filed by Carol's Abstracting in the County Clerk's Office.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize a payment of \$4,694 to Carol's Abstracting Services for Title Work performed as part of Tryon Project.

MADE BY:

SECONDED:

VOTE:

5. Grant Application to National Grid:

- At the October 22, 2013 IDA Board meeting, authorization was given to submit a grant application to National Grid's Strategic Economic Development Program requesting a grant to pay for 50% of the cost to perform a Target Industry Analysis and develop a comprehensive Marketing Plan for the Tryon Technology Park Project recommended by Mike Mullis.
- IDA's Application was filed on October 30, 2013.
- Fulton County will provide the other 50% of the cost to perform the scope of work identified in the Grant Application.
- Scope of work to be performed if grant is awarded includes:
 - Regional SWOT Analysis:
 - Identify Region's Strengths, Weaknesses, Opportunities and Threats.
 - Regional Labor Analysis:
 - Identify skills, training and educational levels existing labor force within 45-minute drive of Tryon Technology Park.
 - Identify labor costs and compare to other regions of New York State and USA.
 - Prepare labor force profile of Region. Benchmark profile to USA and New York State.
 - Survey employers in Region to obtain input on labor availability, cost, trainability and effectiveness of Region's training programs.
 - Other
 - Evaluate Cost of Living:
 - Conduct comparative cost of living analysis of the Fulton-Montgomery County Region to other regions of New York State and USA.
 - Evaluate Existing Transportation System:
 - Identify Tryon Technology Park's proximity to:
 - Deep Water Ports
 - Commercial Airport
 - Rail
 - Intermodal

- Interstate Highway System
 - Identify and compare costs associated with existing transportation systems that would service the Tryon Technology Park.
 - Identify possible opportunities and limitations of existing transportation systems that would service the Tryon Technology Park.
 - Other
5. Evaluate Utilities:
- Identify existing electrical/gas service available.
 - Identify maximum electrical/gas service availability.
 - Estimate cost to upgrade existing services to increase efficiencies.
 - Assess ability of existing utilities to meet gas/electric needs of industry clusters.
 - Other
6. Evaluate Water and Sewer:
- Identify maximum volume of water and wastewater available.
 - Identify potential costs to increase capacity.
 - Assess ability of existing water and sewer systems to address needs of industry clusters.
 - Other
7. Identify Target Industry Clusters:
- Identify and rank, based upon items 1-6 above, the ten (10) "Strongest" industry clusters to market the Tryon Technology Park & Incubator Center to.
 - Identify, based upon items 1-6 above, the most significant "Threats" to the marketability of the Tryon Technology Park & Incubator Center.
8. Identify Contacts for Top Ten (10) Industry Clusters:
- Identify, within each targeted industry cluster, the names of companies to market the Tryon Technology Park & Incubator Center to, including pertinent contact information.
 - For each company named, identify company's expansion plans, desired location and other requirements.
 - Arrange meeting with company to discuss company's expansion plans, needs and how the Tryon Technology Park & Incubator Center can fulfill them.
 - Arrange two (2) meetings with companies in each of the ten (10) target industry clusters.
9. Create Regional Business Training Center at Building 3:
- a. Based upon targeted industry clusters, identify training needs of those clusters.
 - b. Identify training needs of existing businesses in Region.
 - c. Discuss business training needs with Fulton-Montgomery Community College (FMCC)/Hamilton Fulton Montgomery Boards of Cooperative Educational Services (HFM-BOCES).
 - d. Evaluate existing spaces in Building 3 for potential business training spaces.
 - e. Develop Regional Business Training Program:
 - Identify types of training to provide.
 - Identify equipment needed.
 - Identify building renovations needed.
 - Apply for grant money to renovate existing spaces and purchase training equipment.
 - Market Regional Business Training Center.
 - f. Incorporate Regional Business Training Center into overall Marketing Plan for Tryon.
10. Engineering Report on Existing Back-up Generator:
- a. There is a large generator located at the Tryon Technology Pak & incubator Center. This large generator could be a significant asset that should be marketed.
 - b. An Engineering Report will be prepared to identify how businesses could connect into this generator and use it as a backup power source.
 - c. The Report would, at a minimum, consist of the following:
 - Identify capacity, type, age and full description of generator.
 - Identify how it could provide back-up power to businesses located at Tryon.

- Develop electrical layout plan consistent with Site Plan.
 - Identify and describe how back-up power system would work.
 - Prepare cost estimates.
 - Prepare Engineer's Report to provide to businesses.
- d. Incorporate use of back-up generator into overall Marketing Plan for Tryon.
11. Develop Tryon Marketing Plan that includes:
1. Regional SWOT analysis.
 2. Regional Labor Analysis.
 3. Evaluation of Transportation System.
 4. Evaluation of existing water and sewer services and utilities.
 5. Engineering report on using emergency generator.
 6. Other pertinent information.
 7. Evaluation of potential to create Business Training Center and Regional Business Training Program.
 8. The industry clusters to market Tryon to.
 9. The names of companies to meet with regarding Tryon.

IDA DISCUSSION:

6. Request for Quotes (RFQ) to Remove Fencing Materials:

a. Background:

- RFQ has been issued requesting payment quotes to remove existing fencing at Tryon. This fencing material needs to be removed as part of the 2014 construction project.
- The IDA is seeking quotes from contractors interested in paying the IDA to either:
 - 10.Remove the existing fencing, poles, razor ribbon wire and gates for sale as bulk metals.
 - 11.Salvage the existing fencing, poles, razor ribbon wire and gates for reuse.

b. Scope of Work:

- The person or firm shall be responsible for removing from the site all fencing materials listed below:
 - Approximately 4,431 LF of chain link fence
 - All 3" fence posts and concrete
 - All 2" horizontal bracing
 - All razor ribbon wire
 - All sliding gates, tracks and locking mechanisms
 - All barbed wire
 - All pole-mounted lights
- All fencing materials and lights removed shall become the property of the person/firm.

- The IDA intends to enter into a written agreement with the responsible firm that will pay the highest amount to the IDA to remove the fencing and lighting materials.
- Written quotes are due by 5:00 p.m., Tuesday, December 10, 2013.
- No contract for work would be awarded nor would any work start until the IDA took title to Tryon.

IDA DISCUSSION:

V. NEW BUSINESS:

A. Status Report on Fulton County Center for Regional Growth's Marketing Efforts:

- Presentation by Mike Reese.

B. Quarterly Internal Revenue Service (IRS) and NYS Tax Statements:

1. Each quarter, West and Company prepares IRS and NYS Payroll Tax Statements that must be signed and mailed by the end of the month. Checks are sent with these forms for the amount of payroll taxes due for the quarter.
2. At present, the IDA Treasurer is the only person authorized to execute these forms.
3. It is recommended that the Chief Financial Officer (CFO) and any member of the Audit Committee also be authorized to execute these forms.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize the CFO, all Audit Committee members and the IDA Treasurer to sign the quarterly tax returns and checks that must be submitted to the Internal Revenue Service and New York State.

MADE BY:

SECONDED:

VOTE:

C. Proposed Agreement to Lease Lands at Tryon:

1. Background:

- Tim Korona from Perth has been leasing lands at Tryon from New York State to grow crops.
- Mr. Korona has asked if the IDA would be willing to lease Mr. Korona those lands again in 2014.

2. Proposed Lease Agreement:

- Term : January 1, 2014 – December 31, 2014
- Total Acres to be Leased : 60+/-
- Lease Price : \$30/acre
- Lease Termination : Include provision to allow IDA to terminate lease on 30 days written notice. Lease payment prorated.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize the Chairman to execute a 1-year Lease Agreement to lease approximately 60+/- acres of lands at Tryon to Tim Korona subject to the approval of the final Lease Agreement by Kara Lais.

MADE BY:

SECONDED:

VOTE:

D. **Chief Financial Officer (CFO) Invoice:**

- The IDA has received an invoice in the amount of \$250 from Carol Ellis, CFO, for services rendered from July 1, 2013 through December 31, 2013.
- The invoice is in accordance with the IDA's Agreement with Carol Ellis.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize the payment of \$250.00 to Carol Ellis, CFO.

MADE BY:

SECONDED:

VOTE:

E. **Fitzgerald, Morris, Baker, Firth PC Invoices:**

1. General Legal Services:

- The IDA has received an invoice in the amount of \$5,000 from Fitzgerald, Morris, Baker, Firth PC for providing general legal services in 2013.
- The invoice is in accordance with the IDA's Agreement with Fitzgerald, Morris, Baker, Firth PC.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize the payment of \$5,000 to Fitzgerald, Morris, Baker, Firth PC for general legal services provided to the IDA in 2013.

MADE BY:

SECONDED:

VOTE:

2. Legal Services for Tryon Technology Park and Incubator Center Project:

- The IDA has received an invoice in the amount of \$3,000 from Fitzgerald, Morris, Baker, Firth PC for providing legal services in 2013 as part of the Tryon Technology Park and Incubator Center Project.
- The invoice is in accordance with the IDA's Agreement with Fitzgerald, Morris, Baker, Firth PC.

IDA DISCUSSION:

IDA ACTION:

MOTION: To authorize the payment of \$3,000 to Fitzgerald, Morris, Baker, Firth PC for providing legal services in 2013 to the IDA as part of the Tryon Technology Park and Incubator Center Project.

MADE BY:

SECONDED:

VOTE:

F. Letter of Resignation:

- Fran Reed has submitted a letter of resignation effective December 31, 2013.
- Fran was appointed on August 14, 1995 and has served on the IDA Board for over 18 years.
- Fran, for many years, faithfully served as the IDA Treasurer.
- Fran has been a very dedicated and involved IDA member.

IDA DISCUSSION:

IDA ACTION:

MOTION: To accept, with regrets, Fran's Letter of Resignation and to thank Fran for his years of dedicated service to the IDA.

MADE BY:

SECONDED:

VOTE:

VI. OTHER BUSINESS:

A. 2014 Annual Meeting:

- Date:

IDA DISCUSSION:

VII. CLOSE MEETING:

MOTION :
MADE BY :
SECONDED :
VOTE :
TIME :